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Attorneys for Defendants California Department of Corrections and Rehabilitation, Roderick Q. Hickman, Jeanne S. Woodford, Thomas Felker, Mark Shepherd, and Thomas L. Carey

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

MITCHELL J. KLEMASKE,

No. 2:04-cv-01750-FCD-KJM

Plaintiff, on behalf of himself and others similarly situated,

CLASS ACTION

V.

CALIFORNIA DEPARTMENT OF
CORRECTIONS AND
REHABILITATION, et al.

**JOINT STIPULATION and ORDER TO
CONTINUE DATES FOR (1) FILING
JOINT STATUS REPORT, AND (2)
EXCHANGING RULE 26 INITIAL
DISCLOSURES**

Defendants.

1 Defendants California Department of Corrections and Rehabilitation (CDCR), Roderick
2 Q. Hickman, Jeanne S. Woodford (improperly named in Plaintiff's First Amended Complaint as
3 Jeanne S. Woodward), Thomas Felker, Mark Shepherd and Thomas L. Carey (collectively the
4 "Defendants"), and Plaintiff Mitchell J. Klemaske ("Plaintiff"), by and through their respective
5 attorneys, hereby stipulate as follows:

6 WHEREAS no Case Management Conference or Joint Status Conference date has been
7 set in this matter;

8 WHEREAS a Joint Status Report is currently due to be filed with the Court on Monday,
9 March 6, 2006;

10 WHEREAS this matter is filed as a putative class action, and the issues and factual
11 allegations are potentially complex;

12 WHEREAS counsel for defendant, Hanson Bridgett Marcus Vlahos & Rudy, has newly
13 substituted into this matter;

14 WHEREAS Defendants just recently filed an answer to the complaint, on February 17,
15 2006;

16 WHEREAS the parties require an extension of time to allow sufficient time to evaluate
17 both Plaintiff's claims and Defendants' defenses, and to meaningfully discuss (1) Rule 26 initial
18 disclosures, (2) anticipated discovery and scheduling, (3) anticipated motions, (4) purported
19 related cases, (5) legal and factual issues, (6) issues related to the putative class, (7) claimed relief
20 sought by Plaintiff, and (8) prospects for negotiating a mutually agreeable resolution;

21 WHEREAS the parties have discussed the benefit of extending the time to file a Joint
22 Status Report and Rule 26 initial disclosures, and believe such an extension will both help in the
23 administration of this case and save judicial resources;

24 WHEREAS the parties stipulate that the time to file a Joint Status Report be extended to
25 March 27, 2006; and

26 WHEREAS the parties stipulate that the time to exchange Rule 26 initial disclosures be
27 extended to March 27, 2006.

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1 Plaintiffs and Defendants hereby request the Court to approve this stipulation to continue
2 the dates to file the Joint Status Report and exchange Rule 26 initial disclosures in accordance
3 with the terms of this Stipulation.

4
5 DATED: March 1, 2006

HANSON, BRIDGETT, MARCUS,
VLAHOS & RUDY, LLP

6
7 By: /s/ Kurt A. Franklin
8 JERROLD C. SCHAEFER
9 KURT A. FRANKLIN
10 PAUL B. MELLO
11 DOROTHY S. LIU
12 Attorneys for Defendants
13 CALIFORNIA DEPARTMENT OF
14 CORRECTIONS AND
15 REHABILITATION

16
17 Dated: March 1, 2006

18 The Legal Aid Society-Employment
19 Law Center

20
21 By: /s/ Claudia Center
22 (as authorized on 3/1/06)
23 CLAUDIA CENTER
24 Attorneys for Plaintiff
25 Mitchell J. Klemaske

26 GOOD CAUSE HAVING BEEN SHOWN, IT IS ORDERED.

27
28 Dated: March 2, 2006

/s/ Frank C. Damrell Jr.
FRANK C. DAMRELL JR.
United States District Court, Eastern District